



OLENE S. WALKER  
Governor  
GAYLE F. McKEACHNIE  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

### Division of Oil, Gas & Mining

ROBERT L. MORGAN  
Executive Director

LOWELL P. BRAXTON  
Division Director

### Inspection Report

#### Minerals Regulatory Program

Report Date: September 10, 2004

**Mine Name:** Strawberry River  
**Operator or Permittee Name:**  
Rock-It Stone  
**Permittee Mailing Address:**  
P. O. Box 538, Heber City, Utah 84032

**Permit number:** S/013/008  
**Inspection Date:** August 13, 2004

**Inspector(s):** Paul Baker and Doug Jensen

**Weather:** Clear, 80's  
**Inspection Start Time:** 11:45 AM  
**Inspection End Time:** 12:00 PM  
**Site location/Area Inspected (i.e. Pit #):**  
Entire area

**Other Participants:** The foreman, Marty Appawoo, and some other workers were present but did not participate in the inspection.

**Permit Status:** Suspended  
**Current Acreages:**  
**Total Permitted (Bonded):** <3  
**Total Disturbed:** 3.60

**Surface Ownership:** Private  
**Mineral Ownership:** Private  
**Mineral Mined:** Building Stone  
**Type of Mine:** Surface

Elements of Inspection	Evaluated	N/A	Comment	Enforcement
1. Permits, Revisions, Transfer, Bonds	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Public Safety (open shafts, adits, trash, signs, highwalls)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Protection of Drainages	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Explosives, magazines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Deleterious Material	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Roads (maintenance, surfacing, dust control, safety)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Concurrent Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Erosion Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Demolition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Backfilling and Grading (trenches, pits, roads, highwalls, shafts, drill holes)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Water Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Air Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Purpose of Inspection:** Permission to mine at this site has been suspended, and I wanted to see if the mine was still operating.

**Inspection Summary:**  
General Comment:



Inspection Date: August 13, 2004; Report Date: September 10, 2004  
Page 2 of 2  
S/013/008

The site looks similar to what it did when I visited last March. I believe there is more palletized stone, and it is clear that material has been removed. The workers were taking a lunch break, but the site was active in spite of the permit suspension.

1. Permits, Revisions, Transfer, Bond

The operator has not paid the permit fee and was still operating. I telephoned Mr. Peatross on August 24, 2004, and discussed with him the need to pay the permit fee and the possibility of a notice of violation if the fee was not paid by the end of August. As of September 9, 2004, the permit fee had still not been paid, and I am issuing a cessation order for mining with a suspended permit and for failing to pay the fee (which would be just a notice of violation if operations were not being conducted on a suspended permit).

Additionally, I have been trying for the last year to have the operator submit updated right of entry information. The notice of intention shows all operations being conducted in the southeast quarter of Section 16, Township 4 South, Range 7 West, USM, but operations have been expanded into both the northeast and southwest quarters of this section. This was confirmed in a GPS survey done last March. Since the notice of intention does not include these additional areas, and since I do not know whether the operator has right of entry for these areas, a cessation order is being issued for failing to follow the requirements of the notice of intention.

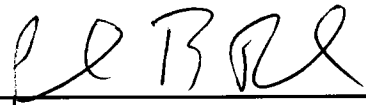
By definition, operating without a valid permit is considered to pose imminent harm to the environment and to the health and safety of the public.

Photo 4 in the photo attachment shows a berm that is being built of waste rock across the road from the mine. It appeared the operator was disposing of waste material, but I later received a phone message from Bob Pinder, the owner of the land, who informed me that he has asked the operator to build the berm as part of some land development he is doing. For this reason, the waste rock berm is considered an end use, not waste disposal, and placement of the material on the south side of the road does not need to be permitted.

**Directions to the site:** The site is north of a county road that runs along the Strawberry River east of the Strawberry Pinnacles.

**GPS data:** I did not take GPS data during this inspection, but the extent of the site has changed little, if at all, since I took GPS readings in March 2004.

Inspector's Signature



Date: September 10, 2004

PBB:jb

Enclosures: Photos

cc: Shannon Peatross, Operator

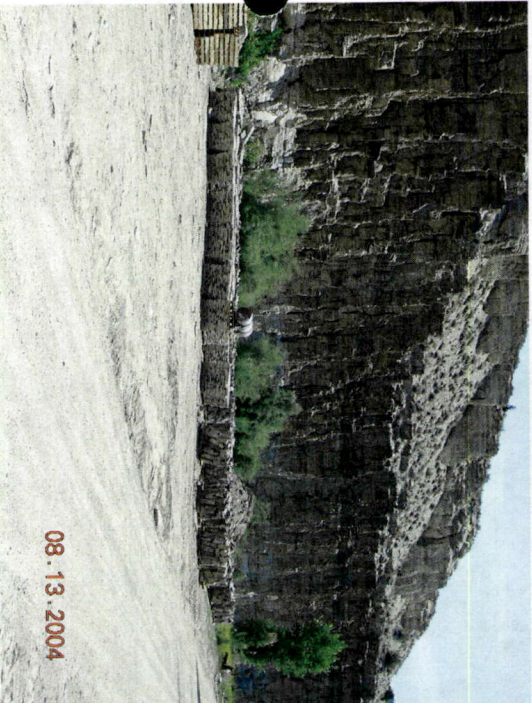
O:\M013-Duchesne\S0130008-strawberry\inspections\ins-08132004.doc



**ATTACHMENT**  
**Photographs**

**Mine Number, Mine Name, Operator Name**

**Inspection Dated: August 13, 2004; Report Dated: September 10, 2004**



**Photo 1. Stone stockpiled next to the county road.**



**Photo 2. The upper portion of the quarry.**



**Photo 3. View from the upper portion of the quarry toward the lower part of the quarry and the county road.**



**Photo 4. The marked area is a berm being built with waste rock for the land owner/developer.**